

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Satoru OI et al.
Serial No. : Attn: Box PCT
Filed on :
Title : 1,5-Benzodiazepine Compounds, Their Production and Use

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. 1.56, 1.97 and 1.98, applicants request consideration of (X) the references listed on the attached Form PTO-1449 and/or () the additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed. ¹

1. This Information Disclosure Statement is submitted:

- a. () within 3 months of the filing date of the above-identified application, or (X) within 3 months of entry into the national phase of the International Application, or () before the mailing date of the first Office Action on the merits, and thus no certification and/or fee is required.
- b. () after the events of above paragraph 1-a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus:
 - () the certification of paragraph 2 below is provided, or
 - () a fee of \$240.00 is enclosed (37 CFR 1.17(p)).
- c. () after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus the certification of paragraph 2 below is provided and a petition and fee of \$130.00 are enclosed (37 CFR 1.17(i)).

2. It is hereby certified that:

- () each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
- () no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart

¹ A copy is not provided for each reference previously cited by or submitted to the Patent Office in prior parent application Serial No. _____.

foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Statement.

3. () Consideration of the following additional information (including any co-pending or abandoned U.S. application, prior uses and/or sales, etc.) is requested:

4. For each non-English language reference listed on the attached Form PTO-1449:

- reference is made to an English language translation submitted herewith, and/or
- reference is made to a foreign patent office search report (in the English language) submitted herewith, and/or
- reference is made to an English language translation of a foreign patent office search report submitted herewith, and/or
- reference is made to the concise explanation contained in the specification of the present application at page(s), and/or
- reference is made to the concise explanation attached thereto or contained therein and/or
- reference is made to the concise explanation set forth below:

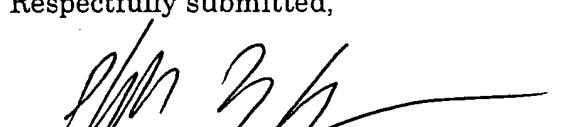
5. () Applicants also offer the following comments for the Examiner's consideration:

6. (X) Also enclosed is a copy of: (X) the International Search Report citing these references, () the International Preliminary Examination Report, and () the Written Opinion.

Applicants respectfully request that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP 609.

Date: April 11, 2001

Respectfully submitted,



Philippe Y. Riesen, Reg. No. 35,657
Mark Chao, Ph.D., Reg. No. 37,293
Attorneys for Applicants
Customer No. 23,115

INTERNATIONAL SEARCH REPORT

International application No.

PCT/JP99/05754

A. CLASSIFICATION OF SUBJECT MATTER

Int.Cl⁷ C07D243/12 A61K31/551 C07D401/04, C07D403/04
A61P 3/04, A61P3/10

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

Int.Cl⁷ C07D243/12 A61K31/551 C07D401/04, C07D403/04

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

CAPLUS, REGISTRY (STN)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	CHRISTOS, P. et al. "A Non-peptide ligand for the somato-statin receptor having a benzodiazepinone structure" Bioorganic & Medicinal Chemistry Letters, vol. 6 (No.3), pages 267-272 (1996), 06 February, 1996 (06.02.96) the whole document	1-18
A	P.SHAH J. R. et al. "Novel 1,5-benzodiazepidinone Gastrin/CCKB Antagonists", Bioorganic & Medicinal Chemistry Letters, vol. 7 (No.3), pages 281-286 (1997), 04 February, 1997 (04.02.97) the whole document	1-18
A	BRAD R. HENKE et al. "Optimization of the 3-(1H-Indazol-3-ylmethyl)-1,5-benzodiazepines as Potent, Orally Active CCK-A Agonists", Journal of Medicinal Chemistry, vol. 40 (No.17), pages 2706-2725 (1997)	1-18
A	WO, 96/11691, A1 (GLAXO WELCOME Inc. USA), 25 April, 1996 (25.04.96) & EP, 785787, A1 & US, 5910495, A & JP, 10-511931, A	1-18

Further documents are listed in the continuation of Box C.

See patent family annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search
31 January, 2000 (31.01.00)Date of mailing of the international search report
08 February, 2000 (08.02.00)Name and mailing address of the ISA/
Japanese Patent Office

Authorized officer

Facsimile No.

Telephone No.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/JP99/05754

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claims Nos.: 17
because they relate to subject matter not required to be searched by this Authority, namely:
The subject matter of claim 17 relates to a method for treatment of the human body by therapy or operation, which does not require an international search report by this International Search Authority in accordance with Rule 39.1(iv).
2. Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
3. Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest The additional search fees were accompanied by the applicant's protest.
 No protest accompanied the payment of additional search fees.

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
LIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)

Date Submitted to PTO:

ATTY DOCKET NO.:
2560US0P

SERIAL NO.:

APPLICANT:
Satoru OI et al.

FILING DATE: GROUP:

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF No.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A1	5,859,007	Jan. 12, 1999	C. J. Aquino et al.			
	A2	5,910,495	Jun. 8, 1999	R. M. Hanley			

FOREIGN PATENT DOCUMENTS

*EXAMINER INITIAL	REF No.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES <input type="checkbox"/> NO <input type="checkbox"/>
	A3	WO 98/47882	Oct. 29, 1998	WO			

OTHER DOCUMENT(S)

*EXAMINER INITIAL	REF No.	AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.
	A4	C. Papageorgiou et al. "A Non-peptide ligand for the somatostatin receptor having a benzodiazepinone structure", Bioorganic & Medicinal Chemistry Letters, Vol. 6(1996), No. 3, pp. 267-272
	A5	P. Shah et al. "Novel 1,5-benzodiazepindione Gastrin/CCKB Antagonists", Bioorganic & Medicinal Chemistry Letters, Vol. 7(1997), No. 3, pp.281-286
	A6	B. R. Henke et al. "Optimization of 3-(1H-Indazol-3-ylmethyl)-1,5-benzodiazepines as Potent, Orally Active CCK-A Agonists", Journal of Medicinal Chemistry, Vol. 40(1997), No. 17, pp. 2706-2725

EXAMINER: DATE CONSIDERED:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

U.S. Patent Application Series No. 09/807,627